

M N  
O P E R A

EMPLOYEE HANDBOOK

NOVEMBER 7, 2022

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# WELCOME

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**W**elcome to Minnesota Opera. You are joining an organization of dedicated artists, craftspeople, administrators, and volunteers all working to create and develop full-scale opera productions for audiences throughout the region and across the globe.

This handbook will serve as an introduction and guide as you assume the responsibilities of your position. If you have any questions that are not answered by this handbook, please consult your supervisor.

Please read through this handbook with care. You will learn about our employment policies, employee benefits, and some general information about the Opera. Your supervisor will take you on a tour and introduce you to the people you will be working with. The Opera has the reputation of being an innovative and exciting arts organization to work for. We welcome you and look forward to your creative contribution to the Opera.

The Opera has an “open door” policy. Should you ever have any questions or comments concerning your employment or the Opera, please feel free to ask your supervisor, the HR Manager, or me.

Welcome to the Opera!

A handwritten signature in black ink, appearing to read "Ryan Taylor". The signature is fluid and cursive, with a large initial "R" and "T".

Ryan Taylor, President and General Director

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## MISSION STATEMENT

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Minnesota Opera changes lives by bringing together artists, audiences, and community, advancing the art of opera for today and for future generations.

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## OUR VISION

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Minnesota Opera will sing every story.

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## OUR VALUES

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Innovation   Inclusivity   Collaboration   Purpose

Minnesota Opera is committed to providing a workplace environment that is open and supportive and that fosters creativity and excellence. The culture is founded upon three shared commitments:

- **Commitment to excellence** -- we expect people to excel and the Opera will strive to provide the administrative and technical support needed in order to achieve the highest artistic quality possible.
- **Commitment to a shared vision** -- we are dedicated to articulating the Opera's goals and vision for the future, with the belief that through a shared understanding and teamwork our goals will be achieved.
- **Commitment to a personal and professional balance** - we acknowledge and support the value of balancing one's home life and professional life in order to sustain a positive attitude and high productivity over time.

We celebrate honesty, integrity and hard work. As we strive for the highest quality in everything we produce, we also hope that people enjoy the process.

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## ARTISTIC STATEMENT

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### **Telling stories. Taking risks.**

Trailblazing, stirring, and unforgettable, MN Opera's world-class productions tell transporting stories that capture the attention of the national stage.

We are devoted to forging the future of opera. We sing this vision through every note, bringing to life innovative, inspiring experiences of sound and wonder for audiences, artists, and the larger community.

When we started in 1963, we set out to do what we do today: break conventions and set new standards. This drives us to sing pioneering new works, and beloved, enduring classics alike. And our dearly held values of inclusion and diversity fuel us as we advance new initiatives in education and community engagement.

For the past 50 years Minnesota has grown from a small organization to one of this country's leading opera companies. Through the years, we have evolved into, as described by Marc Scorca, President of Opera America, a "creative company." We are hailed as one of America's most important companies, and are known as a leader in diverse programming, new works, production innovation, fiscal responsibility and board governance.

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## HISTORY

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In 1963, the commission of a world premiere sparked the creation of a small Twin Cities opera company spotlighting the rare and avant-garde. Fifty years later, Minnesota Opera is one of the nation's largest and most distinguished opera companies, known for its world-class artistry and innovative productions.

Minnesota Opera's roots were planted when the Walker Art Center commissioned Dominick Argento to compose an opera (The Masque of Angels) for its performing arts program, Center Opera. Center Opera focused on the composition and performance of new works by American composers, and, under the influence of the Walker Art Center, emphasized visual design. Known as a progressive, "alternative" opera production company throughout the 1970s, Minnesota Opera merged with the St. Paul Opera in 1976, and through the 1980s, began to shift its focus to include more "traditional" repertoire.

In 1985, Minnesota Opera became a founding tenant of St. Paul's Ordway Center, still home to its mainstage season. In 1990, opened the Minnesota Opera Center in Minneapolis, combining scenic and costume shops, rehearsal facilities and

administrative offices into three renovated warehouses on the Mississippi riverfront.

The two decades that followed marked a period of institutional and artistic growth. The company expanded its season, increased the quality of its artistry and launched its Resident Artist Program. At the same time, recognition for Minnesota Opera's progressive and far-reaching educational programs grew.

In 2000, Minnesota Opera further expanded its season, advanced its production capacity and articulated an artistic vision inspired by early 19th -century Italian Bel Canto (literally "beautiful singing") values, which emphasize intense emotional expression supported by exquisite technique. Minnesota Opera became a destination for audiences and artists interested in Bel Canto-period operas, and these artistic values now inform every aspect of the company's programs, from repertoire selection and visual design to casting and artist training.

The 2007 world premiere of *The Grapes of Wrath* inspired the landmark New Works Initiative, which spawned the commissions of the Pulitzer Prize-winning *Silent Night* (Kevin Puts/Mark Campbell, 2012), *Doubt* (Douglas J. Cuomo and John Patrick Shanley, 2013), *The Manchurian Candidate* (Puts/Campbell, world premiere 2015) and *The Shining* (Paul Moravec/Mark Campbell, world premiere 2016). These efforts set the stage for Minnesota Opera to become what it is today - one of America's largest opera companies, admired as an innovative creator of compelling operas, programs and new works.

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## EMPLOYMENT

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### Handbook

The policies and practices set forth in this handbook have been developed to carry out the purposes of Minnesota Opera in accordance with sound administrative and legal practices. The purpose of this handbook is to provide guidance and direction to the Opera staff. Adherence to the Opera's policies is the responsibility of the entire staff.

All policies and practices contained in this handbook shall apply to all staff personnel. In the event an employee is covered by a collective bargaining agreement (CBA) and there is a discrepancy between the CBA and this handbook, the terms of the CBA control. Similarly, some employees may be legally excepted from certain practices based on their job classification.

The President and General Director and Director of HR shall be responsible for carrying out these policies and practices and for implementing appropriate changes. Minnesota Opera reserves the right to interpret the policies as it deems appropriate and to depart from the stated policies and practices in its discretion. Minnesota Opera's interpretation or application of a provision may vary from time to time if appropriate, as determined by Minnesota Opera, under the circumstances. The President and General Manager and the Director of HR may modify these policies at any time and employees are responsible for adhering with any and all updated policies.

The policies, practices, and benefits contained in this handbook supersede any past practices and any prior written or oral representations or statements regarding the terms or conditions of employment with the Opera, except express written individual employment agreements signed by an employee and an officer of Minnesota Opera and collective bargaining agreements. All previous Employee Handbooks are hereby revoked.

### Employment at Will

Employment at Minnesota Opera is at-will, unless otherwise provided by a collective bargaining agreement or individual contract signed by the employee and an officer of Minnesota Opera. This means it is the right of all staff members to terminate their employment at any time, for any reason. The Opera retains a similar right regarding the discontinuation of such employment.

Nothing in this handbook should be interpreted to be in conflict with or modify an employee's status as at-will. This handbook is not an employment contract, and no one outside of the executive team has the ability to offer any sort of contract of employment.

### **Employment Objectives**

Our employment objective is to place employees in positions for which they are best qualified and where they can make the most effective contribution to the goals of Minnesota Opera.

### **New and Vacant Positions**

All vacant positions are staffed through internal promotions/transfers and external recruiting. Notice of new or vacant positions will be emailed to the staff and may be advertised in the local media. Employees are encouraged to make job opportunities known to their friends and colleagues. We especially encourage applications from minority group members, women, persons with disabilities, members of sexual minority groups and others who may contribute to further diversification of culture and ideas at Minnesota Opera.

The supervisor of the vacant position, in consultation with their supervisors, President & General Director, and other appropriate staff, will select the person to be hired from the pool of qualified candidates. Selection and placement decisions are based on skills, knowledge, abilities, interview results, and references. The supervisor or designee will check references and make the initial job offer.

### **Equal Opportunity Employment and Affirmative Action Policy Statement**

This statement is to reaffirm Minnesota Opera's policy on providing equal opportunity to all employees and applicants for employment, in accordance with all applicable equal employment opportunity affirmative action laws, directives, and regulations of federal, state, and local governing bodies or agencies thereof, including Minnesota Statutes 363A and Chapter 139.50 and 141 of the Minneapolis Civil Rights Ordinance and all applicable rules and regulations.

The Opera will not discriminate against or harass any employee or applicant for employment because of race, color, creed, religion, national origin, gender identity, sexual orientation, disability, age, marital status, veteran status, familial status, status with regard to public assistance or other legally protected status.

The Opera will take affirmative action to ensure that all employment practices including, but not limited to, hiring, upgrading, demotion, transfer, recruitment or recruitment advertising, selection, layoff, disciplinary action, termination, rate of pay or other forms of compensation, selection for training, and apprenticeship, will be conducted without regard to race, color, creed, religion, ancestry, national origin, gender identity, sexual orientation, disability, age, marital status, status with regard to public assistance, familial status, or other legally protected status.

The Opera prohibits the harassment of any employee or job applicant based on their protected class status.

The Opera will commit the necessary time and resources, both financial and human, to achieve the goals of Equal Employment Opportunity and Affirmative Action.

The Opera fully supports incorporation of non-discrimination and affirmative action rules and regulations into contracts.

The Opera will evaluate the performance of its management and supervisory personnel based on their involvement in achieving these Affirmative Action objectives as well as other established criteria. Any employee of this organization or a subcontractor—who does not comply with the equal employment opportunity policies and procedures as set forth in this Statement and Minnesota Opera's Affirmative Action Plan will be subject to disciplinary action. Any subcontractor not complying with all applicable equal employment opportunity/affirmative action laws, directives and regulations of the Federal, State, and Local governing bodies or agencies thereof, including Minnesota Statutes 363A and Chapter 139.50 of the Minneapolis Civil Rights Ordinance, will be subject to appropriate legal sanctions.

The Opera has appointed the Director of HR to manage the Equal Employment Opportunity Program. The responsibilities will include monitoring all equal employment opportunity activities and reporting the effectiveness of this Affirmative Action Program, as required by federal, state, and local agencies. The President and General Director of the Opera will receive and review reports on the progress of this program. Any employee or applicant for employment believing they have been discriminated against, is encouraged to contact the Director of HR, 620 North First Street, Minneapolis, Minnesota 55401 or call (612) 333-2700.

#### **Diversity Charter**

During the Fiscal 2017 season, the Opera Board approved a Diversity Charter for the organization. This involved the formation of a Diversity Council, made up of the Leadership Team and other selected staff members. The purpose of the Council is to define, implement, review, measure, and improve diversity at the Opera. The Council will be guided by the Diversity Steering Committee, which is composed of members of the Council.

For more information, or to read the charter in full, please see the Equity, Diversity, and Inclusion Director.

#### **Discrimination, Harassment, and Inappropriate Behavior Policy**

Minnesota Opera prohibits harassment, including, but not limited to, sexual harassment, discrimination, and inappropriate behavior by employees. Any employee found to have violated this policy will be subject to appropriate disciplinary action up to and including suspension without pay or termination of employment.

This policy and its procedures for reporting complaints apply to all types of harassment, discrimination, and inappropriate conduct and should be utilized for any complaints of that nature. Employment decisions must be made without regard to race, religion, national origin, gender (including pregnancy), marital status, disability, age, sexual orientation, status to regard with public assistance, familial status, or other protected status. Requests to engage in illegal or unethical conduct or retaliation for the making of a good faith complaint about such conduct is prohibited as inappropriate conduct. This policy applies to every aspect of the employment relationship, including recruitment, selection, placement, training, compensation, advancement, discipline, terms and conditions of employment, and termination. The policy applies to all employees of Minnesota Opera as well as third parties with whom employees have work-related contact, such as contractors, visitors, members, vendors, and suppliers.

“Sexual harassment” includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

- Submission to the conduct or communication is made a term or condition, either explicitly or implicitly, of an individual's employment; or
- Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
- The conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creates an intimidating, hostile, or offensive work environment

“Sexual harassment” may include, but is not limited to, unwanted sexual comments, compliments, flirtations, advances or jokes in verbal, written, or electronic form; sexual suggestions or remarks about a person's clothing, body or sexual activity; unwanted and unnecessary touching, brushing against, patting, or pinching; requests for sexual favors; unwelcome and repeated invitations to social engagements or other activities; display in the workplace of sexually suggestive pictures, cartoons, websites, or objects; sexually oriented gestures; an indication or threat, express or implied, that an employee's job security, job assignment, conditions of employment, or opportunities for advancement may depend on the granting of sexual favors. “Sexual harassment” includes harassment of a sexual or degrading nature between individuals of the same gender if such conduct occurs because of the gender of the individual harassed regardless of the sexual orientation of the people involved.

Unwanted offensive comments or actions based on a person's race, religion, national origin, marital status, age, disability, sexual orientation, or other status protected by law constitute harassment and violate this policy. Other inappropriate or offensive conduct that is disruptive to the workplace also is prohibited by this policy.

### Reporting and Investigating

Any knowledge about or claims of a violation of this policy must be reported to the employee's supervisor immediately. If for any reason an employee is not comfortable making a report to the Supervisor, the employee should make a report to the Director of HR or the President and General Director of Minnesota Opera. All allegations of harassment will be investigated promptly, fairly, and completely. Reports made pursuant to this policy will be handled as confidentially as possible consistent with the needs of any investigation and appropriate remedial action.

All employees are required to cooperate with Minnesota Opera's investigation of complaints under this policy. Any employee found to have knowingly or intentionally made a false complaint of a violation of the policy or found to have knowingly given false information during an investigation of such a complaint may be subject to disciplinary action. Employees who refuse to cooperate with an investigation also may be subject to disciplinary action.

If the facts support an allegation of a violation of this policy, appropriate action will be taken. Resolutions of complaints of violations of this policy can include, but are not limited to, direction to stop the behavior, counseling and/or training, warning, suspension with or without pay, transfer, or termination of employment. Minnesota Opera will work with contractors, visitors, members, vendors, suppliers, and other third parties if it determines that an employee has been subjected to harassing or inappropriate behavior from outside Minnesota Opera.

### Retaliation Prohibited

Minnesota Opera prohibits retaliation against employees who bring complaints about violations of this policy or assist in investigating such complaints. Retaliation should be reported and will be investigated in the same manner as complaints of discrimination or harassment.

### Supervisory Responsibility

Employees with supervisory responsibilities will be evaluated on their adherence to this policy and the monitoring of employees under their supervision. Any supervisor who receives a report of suspected violation of this policy must report the information to the Director of HR or President and General Director.

### Consensual Relationships

A report of sexual harassment arising out of a consensual relationship will be investigated under this policy in the same manner as any other report.

## Child and Vulnerable Adult Protection Policy

### 1. Purpose

The Minnesota Opera seeks to create a welcoming, nurturing and safe environment for all minors and vulnerable adults with whom it engages. It has zero tolerance for the actions of any employee, volunteer, visitor, or Independent Contractors, which may jeopardize the safety, health or innocence of a minor or a vulnerable adult. This policy statement establishes policies and procedures adopted by the Opera to prevent the physical, emotional or sexual abuse of minors or vulnerable adults by employees, volunteers, visitors, or Independent Contractors.

### 2. Statement of Policy

In an effort to provide a safe and healthy environment for all Opera employees and patrons, the following guidelines are meant to guide Opera employees during their interactions with minors and vulnerable adults. These guidelines do not and cannot outline every situation that may be encountered, requiring employees to act with a certain degree of personal discretion and caution. Because a specific action is not prohibited in this section does not mean it is acceptable behavior. The Opera reserves the right to take disciplinary action against employees whose actions are found to be inappropriate regardless of whether they are described in this section.

### 3. Employee Responsibility

The Opera encourages its employees to treat all colleagues and patrons, including minors and vulnerable adults with respect and consideration. Treatment must be fair and equal, and must not be based on gender, race, religion, sexual orientation, economic or social status. To ensure this treatment, employees are to make every effort to do the following:

- A. While Representing Minnesota Opera, employees who are Actively On-duty must not possess, distribute, use, allow or encourage others to use any alcohol or drugs.
- B. Employees must not use harsh or inappropriate language, degrading punishment or any type of restraining device in the name of behavior management.
- C. Employees must not have sexual contact with minors or vulnerable adults.
- D. Employees must not use physical punishment in any form. The only time physical force is allowed to be used against a minor or vulnerable adult is when that individual's actions are placing the employee or others at an immediate risk of serious harm.
- E. Every effort must be made to avoid favoritism, or the appearance of favoritism.
- F. Employees are not allowed to possess any sexually oriented materials (books, magazines, videos, clothing, digital content, etc.) when conducting business in the name of the Opera.
- G. Employees are permitted to engage with minors and vulnerable adults via social media but must consider all interactions as representing the

Opera and must adhere to this policy and maintain a professional code of conduct.

- H. When one-on-one discussion or counseling is warranted, employee interaction with a minor or vulnerable adult will take place in an area that allows for private conversation while remaining in the view of others.

If, for any reason, an employee feels there is or was a need to make an exception to these guidelines, they must submit to their supervisor a written description of the incident and why their actions were necessary. Their report will be reviewed before any action is taken. A copy of the original report along with any additional findings made will be included in the employee's permanent file.

#### 4. Employer Responsibilities

All Minnesota Opera programs and events are designed to promote safe interaction between employees and minors or vulnerable adults. The following Program Structural Requirements

Guidelines are intended to keep established safeguards effective:

- A. All Opera employees who come into regular and/or direct contact with minors or vulnerable adults will be subject to annual criminal background checks.
- B. Employees may not be alone with a minor or vulnerable adult in a location where they cannot be observed easily by other; therefore, it is the Opera's preference for group activities with multiple children/youths present (i.e. ensemble rehearsal, tour, group lesson). In a one-on one teacher/lesson setting, studio doors must remain open or the door must have window allowing unobstructed sightlines from a used corridor or other space in public use.
- C. When a volunteer is working directly with minors or vulnerable adults as part of an Opera program, an approved staff employee will also be in the immediate vicinity to observe and monitor.
- D. Employees shall never transport a minor or vulnerable adult in the name of the Opera, except with prior written consent from a parent.
- E. Children under the age of six participating in a program of the Opera will not be placed in the direct care of the Opera without a parent or guardian present.

#### 4.1 Reporting Potential Harm to Children and Vulnerable Adults

Any Opera employee who receives a complaint of, or observes, abuse are required to immediately report the complaint to the Director of HR or President and General Director for investigation. The Opera shall promptly investigate all allegations of abuse and take appropriate corrective action where warranted. The Opera will inform parents/guardians immediately of complaint. To the extent possible, the Opera will maintain the confidentiality of all information related to the complaint and investigation. A complete investigation will include a private interview with the person who complained, any witnesses, and the alleged harasser. The Opera will use its best efforts to complete any investigation within one week of receiving any complaint. The Opera will not

tolerate retaliation against anyone for complaining of, or cooperating in any investigation, of abuse or harassment.

4.2 Discipline: Where the Opera has determined that abuse has occurred, appropriate action will be taken including appropriate disciplinary action, up to and including termination, as referenced in the Employee Handbook, and the contacting of police or other authorities.

## 5. Privacy

The Opera is obligated to protect the right to privacy for both the alleged victim(s) and the alleged perpetrator(s). Therefore, Opera employees are to not discuss the situation with anyone other than the appropriate professionals (e.g., child protection, local law enforcement) and your supervisor or, in the case of an independent contractor or volunteer, your point of contact at the Opera. All information regarding alleged child abuse or neglect is on a strict need-to-know basis.

Minnesota Opera will not retaliate against anyone for making a good faith report under this policy or against a child or vulnerable adult with regard to whom a report is made because of the report.

## 6. Definitions

Abuse takes many forms and is broken down into the following subtypes, all of which are prohibited within the scope of this policy.

- A. Physical abuse – Injury inflicted on a minor or vulnerable adult
- B. Sexual abuse – Contact or activity of a sexual nature between an adult and a minor or vulnerable adult
- C. Emotional abuse – Mental or emotional injury inflicted on a minor or vulnerable adult
- D. Minor – A child or youth under 18 years of age
- E. Vulnerable adult – Any person over 18 years of age who is or may be in need of community care services by reason of disability, age or illness; and is unable to protect themselves against significant harm or exploitation
- F. Representing the Opera – Includes leading, directing, teaching, or otherwise participating in sanctioned and promoted company events.
- G. Actively On-duty – While in the direct presence of, and/or being in a role of responsibility or leadership of children or vulnerable adults.
- H. Regular and/or Direct Contact – Defined as Opera employees, independent contractors, guest artists and designers, technical staff, and volunteers who interact with minors or vulnerable adults through a specific Opera sponsored program or event, such as, but not limited to: main stage productions at the Ordway, Opera Circle or Opera Studio rehearsals and performances, In-school/community residencies, all other education programs, community engagement events/concerts.
  - o Employees included in this definition include but are not limited to: Creative Development Programs staff, Youth Music Programs Directors, Opera Circle and Opera Studios staff, Children’s Chorus Director, Resident Artists, Stage Manager, Assistant Stage

Management, Costume Director, Costume Administrator, and any other necessary artistic and production staff.

- I. Independent Contractor – Artist, designer, teacher, technician, or other person employed by the Opera for specific productions or programs that are sanctioned and promoted by the Opera.

### **Drug-Free Workplace**

Consistent with the applicable state and federal law, Minnesota Opera prohibits the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance (except as authorized by a physician) or alcohol on Minnesota Opera property or while engaged in Minnesota Opera business.

Minnesota Opera intends to establish and maintain a work environment that is free from the effects of alcohol and controlled substances. All employees are expected to report to work ready to perform their duties safely and efficiently. They are also expected to obey the law and observe Opera prohibitions against the presence of drugs, unless medically necessary, on the premises. Where the involvement with drugs (including prescription medication) interferes with performance expectations, individuals may be offered appropriate assistance as with any health problem or be subject to disciplinary action as the circumstances require. Employees violating this policy will be subject to discipline up to and including suspension without pay or termination of employment.

The possession, transfer, sale, purchase, or use of illegal drugs or alcohol or involvement in any such activity engaged in by others, while performing work for Minnesota Opera or on Opera premises, at any time, is covered by this policy, including referral for legal prosecution as appropriate.

This policy will not be construed to prohibit the reasonable use of alcohol at company social events. Moderate consumption of alcoholic beverages may be acceptable at certain Minnesota Opera events (e.g., annual luncheon, Holiday party, fundraising events, etc.) as determined and approved in advance. However, employees must remember to conduct themselves in a business appropriate manner at all times. Unprofessional or unruly conduct as a result of drinking alcohol at any staff function is unacceptable and may result in disciplinary action. Minnesota Opera will not knowingly permit the use of alcoholic beverages to any employee under the Minnesota legal drinking age of 21 years old. Any employee under the age of 21 consuming alcoholic beverages at a company social event will be subject to discipline.

## Information Technology Policy

Minnesota Opera provides internet and telephone access, related equipment and software to enable its employees to perform their work effectively and efficiently. This policy provides guidance for the appropriate use of these systems.

### Access, Ownership and Privacy

If an employee's job duties require it, access to the Opera's computer network will be provided to the employee by use of an individual login and password. An employee's password should remain confidential. Sharing your password with a non-employee is strictly forbidden. Employees should change their passwords a minimum of once every year but preferably every 90 days. Opera management reserves the right to ask for or overwrite any employee's password. For security purposes, computers should be locked (by easily holding down the Windows home key and pressing "L" simultaneously) whenever the employee steps away from their desk for a significant period of time (30 minutes or longer).

All employees who have been assigned an Opera email account, may access that mailbox remotely when out of the Opera Center. Instructions for this access will be provided by the IT department. Care should be taken when accessing email remotely that the computer used is secure.

On a case-by-case basis, the Opera may furnish an employee with remote access to its server network. This request may not be made without prior authorization from the employee's direct supervisor or department head. **Providing this remote access does not in any way authorize overtime or working off-site. Overtime and working off-site must be specifically approved by your supervisor in advance.** Once permission has been given by an employee's supervisor, the employee must complete the Remote Access Request form (located in U/HR Information/Request for Remote Access) and have it signed by their department head as well as the System Administrator.

All electronic information that is stored on or transmitted by Opera systems is the property of the Minnesota Opera. Because the information systems are intended for business use, any incidental use of the systems for personal reasons also becomes the property of the Minnesota Opera. Opera management may monitor or access any of this data for business or legal purposes. There should be no expectation of privacy for any email or files viewed or stored on company computers.

### Acceptable Use

The Opera's computers, phones, email, internet access and related systems are provided to facilitate the work of the employees and thus they should be used primarily for that purpose. The Opera permits the use of these systems and equipment for personal use so long as it does not interfere with the employee's work, does not violate any unacceptable use (see following section), does not

introduce a network security threat and does not consume excessive network capacity.

The Opera's file servers are intended for storing business related files. The Opera allows limited storage of personal files on its servers with the following conditions: anything in the files may not violate any unacceptable use (stated below); once stored on Opera servers, the files become property of the Opera and may be accessed for business or legal purposes; the amount of storage must be limited – if the IT department determines that the volume is too high, the employee must remove files down to an acceptable level.

#### Unacceptable Use

- Sharing network passwords with non-employees. Unauthorized use of another employee's password to access the network.
- Intentional introduction of malicious software into the Opera's network or equipment.
- Downloading, copying, or pirating software or files protected by copyright without proper authorization.
- Excessive personal downloads or storage that impair network capacity.
- Use of Opera equipment or systems for unauthorized access to websites.
- Setting up a peer-to-peer connection without authorization.
- Use of Opera equipment or systems for gambling, online gaming, or spamming.
- Use of electronic communication or telephones to express abusive, harassing, discriminatory or obscene language.
- Use of electronic communication or telephones to send unapproved solicitations for commercial, political, or religious causes.
- Accessing, viewing, copying, downloading or sending any inappropriate material (i.e. material of a sexually explicit nature or that pertaining to hate crimes.)
- Posting personal opinions in a manner that could be interpreted as a Minnesota Opera position without Opera management approval. (Email, texts, blogs, bulletin boards, social media sites, etc.)
- Discussing proprietary Opera business in public electronic forums.

**An employee found to be in violation of the acceptable use of the Opera's electronic systems will face disciplinary action up to and including suspension without pay or termination of employment.**

#### Working Remotely

The Opera considers the privilege of working remotely to be a viable, flexible work option when both the employee and the job are suited to such an arrangement. Working remotely may be appropriate for some employees and jobs, but not for others. Working remotely is not an entitlement, it is not a companywide benefit, and it on no way changes the terms and conditions of employment with Minnesota Opera. All Minnesota Opera policies, including

those contained within the Employee Handbook, remain in effect even for an employee working remotely.

Ultimate responsibility to determine if a position is eligible to work remotely lies with the Vice-President of each department, or with the President and General Director for Vice-Presidents.

#### Limitations and Eligibility

Temporary remote working arrangements may be approved by supervisors. Work from home arrangements are fluid, and should be discussed on a regular, continuing basis. Arrangements and approvals may change with circumstances and are subject to change.

Remote work arrangements involve a set schedule of working away from the office for a specific or ongoing period of time. Given the volume and depth of accomplishments during the pandemic quarantine, we strive to balance the fact that our artform is collaborative, and requires many different skill sets and a team-oriented approach with the understanding that remote work is possible and in some cases preferable for certain roles and certain employees.

Formal remote working arrangements may be discontinued at will at any time at the request of either the employee or the employer. Every effort will be made to provide 2 weeks' notice of such change to accommodate commuting, childcare and other issues that may arise from the termination of the remote working arrangement. There may be instances, however, when no notice is possible.

#### Remote Work Expectations

In order to maintain close communication, productivity, and standards of professionalism while working from a remote location, the employee shall:

- Update their Opera Outlook calendar to show "Working Elsewhere" noting the times they are working (e.g. 8:30-4:30, 10:00-6:00) so that individuals wishing to schedule a meeting or contact you will know what hours you are available and that you are not physically working in the office;
- Notify colleagues and clients well in advance (a minimum of 24 hours) if you will not attend a meeting in person that has been scheduled as such.
- Set up an automatic reply in their Outlook email stating that they are working remotely, what hours they are available, and best method of communication during the remote work period;
- Be available to supervisor, coworkers, and affected business partners by telephone, video conference, and/or email during the core hours established in the written agreement;
- Return calls and emails in a timely manner, just as would be expected if they were physically in the office;

- Maintain any required communication with their supervisor, as noted in the written agreement;
- Record any extended period of time (defined as more than 2 hours) within the remote workday in which they are unavailable or doing activities unrelated to work as PTO;
- Have the same technical functionality from their home as they would if working from within the Opera Center (access to your files, shared documents, etc.) It is the employee's responsibility to provide peripheral equipment such as printers, phones, and other necessary tools at the remote location.

### Time Worked

Employees working remotely who are not exempt from the overtime requirements of the Fair Labor Standards Act will be required to accurately record all hours worked using the Opera time sheet. Hours worked in excess of those scheduled per day and per work week require the advance approval of the employee's supervisor. Failure to comply with this requirement may result in the immediate termination of the remote work agreement.

### Safety

Employees working remotely must confirm that they have a suitable place to work from home and that to the best of their knowledge the worksite is safe from conditions that could pose a hazard to health and safety or danger to equipment. When working from home, that location is considered an official worksite for purposes of OSHA regulations and Workers Compensation. The employee must report any injury to their manager or to human resources immediately. Worker's compensation does not cover accidents to family members or third parties at the remote site. The designated at-home workspace must accommodate any equipment to be used in work performed and the employee must protect the work space from hazards and dangers that could affect themselves or their equipment, such as faulty or ungrounded electrical outlets or ergonomically incorrect set-up.

**Minnesota Opera does not assume responsibility for third party injury or any property damage that may occur at the employee's residence.**

### Grievance Policy and Procedures

It is Minnesota Opera's policy to resolve an employee's job-related problems in an equitable manner consistent with personnel policies, practices, and business needs. The Opera recognizes that the flexibility of informal discussions often permits quicker and easier solutions to employment problems than are possible with formal procedures. Accordingly, you are encouraged to talk to the people involved when a problem relative to your employment arises.

If informal discussions are unsuccessful, the Opera requires employees to report such complaints to their immediate supervisor, allowing the organization to take action in a timely manner. If for any reason an employee is not comfortable making a report to the Supervisor, the employee should make a report to the Director of HR or the President and General Director of Minnesota Opera.

### **Personnel Records**

Personnel records are kept by the Director of HR and contain such information as your job application, resume, records of training, documentation of performance appraisals and salary adjustments, and other employment records.

You should inform the Director of HR of any changes that involve your name, address, phone number, number of dependents, or marital status. Such changes in your personal status may affect your insurance policies and tax status. It is particularly important that you keep us informed of an emergency telephone number.

### **Review of Personnel Records**

You must make a written request to review your personnel record. You may review your personnel record upon request; or upon separation from employment, you may review your personnel records once each year for as long as the record is maintained. The request to review your personnel record will be met within seven working days; however, the Opera reserves the right to deny review if the request is not made in good faith. After review of your file, and upon written request, the Opera will provide you with a copy of your record.

Minnesota Opera will make your personnel records available for inspection during the Opera's normal hours of operation at the Opera Center, your place of employment, or another nearby location. A member of the Administration Department will be present throughout your review of your records.

If you should dispute the specific information contained in the personnel record, the Opera will provide you with a copy of the disputed information upon your written request. The Opera may agree to remove or revise the disputed information. If the Opera declines to remove or revise the disputed information, you may submit a written statement, less than five pages long, specifically identifying the disputed information and explaining your position. The position statement will be kept in your personnel record.

### **Salary Review and Promotion**

All salaries will be reviewed during each budget cycle on an annual basis. When salary adjustments are warranted, increases are based on attainment of performance objectives, attitude, attendance, initiative, and financial resources.

### **Minnesota Wage Disclosure Protection Law**

Under the Minnesota Wage Disclosure Protection law, you have the right to tell any person the amount of your own wages. Your employer cannot retaliate against you for disclosing your own wages. Your remedies under the wage

disclosure protection law are to bring a civil action against your employer and/or file a complaint with the Minnesota Department of Labor and Industry at 651-284-5070 or 800-342-5354.

### **Position Changes**

A position change during the course of employment, may result in a change of title, compensation, or both. Salary and/or title adjustments will be offered, commensurate with the increase or decrease of responsibilities outlined in the job description of the employee's new role. Salary adjustments will be effective as of the employee's first day in the new position.

### **Performance Objectives**

Your supervisor may set a meeting with you at any point during your employment to create a set of individual performance goals and objectives. The purpose of establishing performance objectives is to:

- A. Ascertain that the employee's goals and objectives match those of Minnesota Opera.
- B. Provide a basis for ongoing performance evaluation.
- C. Provide a basis for you and your supervisor to review your career plan and actions needed to further your professional goals.

### **Performance Evaluation**

Managers and employees are encouraged to regularly discuss job performance and to ask questions and provide feedback on an ongoing basis. Managers should document conversations regarding employee performance on a regular basis and provide those reports to the Director of HR in a timely fashion to be placed in the employee's personnel file.

### **Progressive Discipline**

Minnesota Opera believes in administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The Opera also believes that it is important to ensure fair treatment of all employees while making certain disciplinary actions are prompt, uniform and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment at the Opera is based on mutual consent and both the employee and the Opera have the right to terminate employment "at will", with or without cause or advance notice, the Opera may employ progressive discipline techniques at its discretion.

Disciplinary action may call for any of the following steps: verbal warning, written warning, suspension with or without pay, final warning before dismissal, or termination of employment, depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning another offense may lead to suspension or a final warning before dismissal; still another offense may then lead to termination of employment. By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and the Opera.

We recognize there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme cases, termination of employment, without going through the usual progressive discipline steps. While it is impossible to list every type of behavior that may be deemed a serious offense, the following infractions of rules of conduct may result in disciplinary action, up to and including termination of employment, without prior warning, at the discretion of either your immediate supervisor or the President and General Director:

- Theft or inappropriate removal or possession of Minnesota Opera owned property
- Falsification of records, including but not limited to employment and attendance records
- Possession, distribution, sales, transfer, or use of illegal drugs in the workplace while on duty or while operating Opera-owned or provided vehicles or equipment
- Fighting or threatening violence in the workplace
- Negligence or improper conduct leading to damage of Opera-owned property
- Violation of safety or health rules
- Sexual or other forms of unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absence without notice
- Unauthorized disclosure of “business secrets” or confidential information
- Violation of personnel policies
- Unsatisfactory performance or conduct

### **Termination**

Employment at Minnesota Opera is “at-will.” This means that either the Opera or you may terminate the employment relationship at any time and for any reason.

### **Voluntary**

All employees who plan to resign are expected to give a minimum of two weeks’ notice. Any individual employment agreements supersede this minimum requirement. You may take your vacation prior to leaving with the approval of your supervisor, or you will receive vacation payment at the termination based upon vacation earned to that date. If Minnesota Opera determines that it is not necessary for you to work for the entire notice period provided, Minnesota Opera may adjust your termination

date. Minnesota Opera is not obligated to provide accrued vacation payment if the employee gives less than two weeks' notice.

### **Involuntary**

While the Opera reserves the right to terminate the employment relationship at any time and for any reason, the following is a non-exclusive list of some of the events that could result in termination of the employment relationship by the Opera:

Reduction in Force: Financial considerations may require that certain jobs be eliminated. Any such determination will be made by the Opera management. At its discretion, Minnesota Opera may negotiate with affected employees to provide a severance agreement. If such an agreement is reached, terms will be honored only upon both parties signing and fully executing the appropriate agreement.

Unsatisfactory Performance: Any employee may be terminated due to unsatisfactory performance, failure to meet performance standards, not completing tasks in a timely manner, or not maintaining an adequate attendance record. Any such determination will be made by the Opera management. At its discretion, Minnesota Opera may negotiate with affected employees to provide a severance agreement. If such an agreement is reached, terms will be honored only upon both parties signing and fully executing the appropriate agreement.

Misconduct: Misconduct, including the unreasonable refusal to do assigned work, dishonesty, theft, harassment, intoxication while on duty, conviction of a felony, insubordination, or other employee misbehavior may result in immediate termination of employment. At its option, Minnesota Opera may suspend an employee, with or without pay, pending appropriate review by management. If the behavior is substantiated through investigation, the employee may be immediately terminated after such investigation has been completed.

Please remember that these events that may result in termination of employment are examples only, and there may be other circumstances such as lack of work, changes in business conditions, personality conflicts, etc. which could result in termination of employment at the discretion of the Opera.

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# PAYROLL AND SALARY ADMINISTRATION

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## Salary Administration Policy

Minnesota Opera is committed to maintaining a fair and equitable compensation program for all employees consistent with its financial resources.

## New Employee Onboarding

Upon employment, your supervisor will coordinate all onboarding and informational meetings needed for your position with the appropriate parties, per the New Employee Onboarding Guide.

## Immigration Law Compliance

In compliance with the Immigration Reform and Control Act of 1986, all individuals employed by the Opera after November 6, 1986, must complete an Employment Eligibility Verification (Form I-9) and furnish proof of their eligibility to be employed in the United States within the first three days of hire.

## Hiring Authority

The President and General Director shall have the final authority for hiring, managing, promoting, and terminating all full-time and seasonal staff employees and must approve all employment offers before any commitment is made to a prospective employee. You will receive a letter stating your salary, benefits, and starting date. Copies of these letters will be kept in your personnel record and will be kept confidential.

## Employment Classifications

**Regular full-time employees** are hired to work at least 35 hours per week on a regularly scheduled basis.

**Regular part-time employees** are hired to work at least 20 but less than 35 hours per week on a regularly scheduled basis.

**Seasonal full-time employees** are hired to work at least 35 hours per week for a restricted period of time. Seasonal full-time employees can be hired on an hourly or salaried basis.

**Seasonal part-time employees** are hired to work at least 20 but less than 35 hours per week for a restricted period of time. Seasonal part-time employees are hired on an hourly basis.

**Temporary employees** are either hired on an occasional basis to work on a project-to-project basis or are hired to work less than 20 hours per week.

**Interns** have agreed to work at the Opera to fulfill an educational obligation. Interns may be paid a weekly stipend, so long as permissible by law.

### **Job Descriptions**

Job descriptions for each position will be developed and on file with the Director of HR. These descriptions are periodically reviewed to ensure accuracy and are used for the hiring of new employees, staff training, salary administration, and performance appraisals. Job descriptions can also be used for the purposes of determining whether someone can perform the essential duties of a job pursuant to the Americans with Disabilities Act.

You should be familiar with your job description, the expected standards of performance required for your position, and your supervisor's concept of your job and its place in the organization. Please review any questions you have about the job with your supervisor.

### **Working Hours**

In general, Administrative hours are from 9:00 a.m. to 5:00 p.m. Monday through Friday. Office hours for individual departments (i.e. Patron Services, Costume Shop, Scene Shop) may vary according to season and shall be determined by the head of the department in question. When scheduled for work, employees are expected to report in a timely fashion and be ready to work during their scheduled hours.

### **Unplanned Absence Notification**

If you are unable to report for work because of illness or other emergency, you must call in or have someone call in to speak to your supervisor (unless your supervisor has previously told you an email or voicemail would be sufficient) at or before the beginning of your scheduled start time. If your supervisor cannot be reached in person, you may contact another member of your department, or the Director of HR. In the event you cannot reach anyone in person, you must send an email to your direct supervisor and copy the Director of HR. Failure to call in may result in disciplinary action up to and including termination of employment. If an employee does not report to work for two consecutive days and does not notify his or her supervisor of the absence, the Opera will consider the employee to have voluntarily terminated employment.

### **Pay Periods**

There are usually 26 pay periods each fiscal year. For salaried exempt and non-exempt FT employees, each pay period begins on Friday and ends 13 days later on Thursday. For seasonal and PT hourly employees, each pay period begins on Monday and ends 13 days later on Sunday. Paydays are every other Friday; however, if a holiday falls on a Friday, payroll checks are available the preceding business day.

In the event of a fiscal year with 27 pay days, the bi-weekly check of salaried employees will be calculated by dividing the annual salary by 27 pay periods instead of 26.

For salaried exempt and non-exempt employees, pay is often communicated in annualized salary terms. Biweekly pay equals 1/26th of annual pay (or 1/27th in years with 27 pay days.)

Hourly non-exempt employees (those eligible for overtime) will have their pay stated in hourly terms and will be paid for actual hours worked.

For those receiving live checks, as opposed to direct deposit, your check will be mailed directly from the ADP hub and will arrive as close to the payroll date as allowed by conventional mail delivery speed. For employees who have opted to use direct deposit, funds will appear in your bank account by the scheduled pay date.

### **Time/Absence Notification Sheets**

If your job is classified as non-exempt (covered by the minimum wage and maximum hour codes of the Federal Wage and Hour Law), hours worked each day to the nearest ¼ hour must be reported. All holidays, sick days, and vacation days must be reported as they are taken. You must submit an accurate record of time worked for each pay period. Those employees required to fill out a time sheet will be provided one by the Director of HR for this purpose.

If you are an exempt employee, you must document any time off from a regular workday to the nearest hour. The Opera does allow employees to be flexible with their schedules, provided they are still working an average of 40 hours per week and with the approval of their supervisor. The Opera does NOT allow comp time, so all time off must be recorded as sick leave, personal holiday, vacation, or funeral leave. Any other type of leave must be discussed with and approved by your supervisor and the President and General Director before it is allowed and explained in the “remarks” section of your time/absence notification sheet.

Payroll checks are issued only upon the timely receipt of an accurately completed time sheet signed by you and your supervisor.

### **Overtime**

Minnesota Opera pays overtime compensation to all non-exempt employees in accordance with federal and state wage and hours laws. **Overtime work must be authorized in advance by the appropriate supervisor, without exception.** Paid sick leave, vacation, personal holidays, company holidays, funeral time or any other paid leave are not counted toward time worked.

### **Deductions**

Deductions for federal and state taxes, as well as other obligations such as garnishments, liens, or child support orders are executed as required by law. Other deductions may be requested for a savings account, Minnesota Opera’s Annual Fund, medical and dental insurance, medical and dependent care flex

spending, parking, contributions to pension plan, voluntary life/AD& D insurance and union dues payments.

**Employment Verification**

The Director of HR will respond to all employment verification inquiries. Responses to verbal inquiries will only include the verification of dates of employment and title of position(s) held. A request for any other information must be done in writing and responses will be made only with a signed authorization in a form acceptable to the Opera from the current or former employee.

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## BENEFITS

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BENEFITS PROVIDED BY THE OPERA MAY BE MODIFIED OR REVOKED BY THE OPERA AT ANY TIME, AT ITS SOLE DISCRETION. THIS HANDBOOK IS DESIGNED TO GIVE ONLY A SUMMARY OF THE OPERA'S BENEFIT PROGRAMS. IF ANYTHING IS SAID OR IMPLIED IN THIS HANDBOOK THAT IS DIFFERENT FROM THE ACTUAL WRITTEN INSURANCE BENEFIT CONTRACT OR SUMMARY PLAN DESCRIPTION, THE PLAN DOCUMENT OR INSURANCE CONTRACT WILL GOVERN.

### Eligibility

Regular full-time and regular part-time employees are eligible to participate in our benefits program.

**Regular full-time employees, in alignment with the Affordable Care Act definition,** are those who are regularly scheduled to work 30 or more hours per week. Rehired and newly hired regular full-time employees will be eligible for benefits on the 1<sup>st</sup> of the month following 30 days of employment. Regular full-time employees rehired within 13 weeks of their last date of employment with MN Opera will be eligible for insurance the 1<sup>st</sup> of the month immediately following their rehire.

**Regular part-time employees** are those who are regularly scheduled to work at least 20 hours per week, but fewer than 30 hours per week. To be eligible for benefits, regular part-time employees need to:

1. Complete at least 12 consecutive months of employment with MN Opera; AND
2. Have worked at least 1040 hours during our look-back/measurement period.
  - Our lookback/measurement period is the 12-month period running from May 1 to April 30. We run a lookback/measurement analysis in connection with every insurance plan year.
  - Regular part-time employees who have worked at least 1040 hours during our lookback/measurement period will be considered benefits eligible for the duration of our subsequent stability period, which runs from July 1 to June 30, in line with our fiscal year.
  - Any employee who works fewer than 1040 hours during our lookback/measurement period will not be eligible for benefits in the immediately following stability period.

The Director of HR will discuss this with you during your orientation on your first day of work. Booklets describing each of the plans in greater detail are available from the HR Director.

### Medical

Minnesota Opera currently provides three health care choices; Medica Choice, Medica Elect and Medica VantagePlus. The Opera currently pays for 85% of the employee premium and 33% of the remaining balance for you dependent(s) and/or domestic partner's premium **if you choose Medica Elect. For those employees who prefer Medica Choice or Medica VantagePlus**, the Opera will cover the equivalent of 85% of the Medica Elect premium for employee coverage level and the equivalent of 33% of the remaining Medica Elect balance for your dependent(s); the employee is responsible for paying the difference. You and any of your dependents and/or domestic partner's share of the health insurance premium will be deducted in equal amounts from your paychecks. Upon termination of employment, employees may be able to continue their medical care coverage for generally up to 18 months by paying the entire premium. Please see the Director of HR for the current co-payment rates.

In general, items that are not covered by our health care options include: glasses, contacts, cosmetic services, dental procedures, and adoption (see your certificate of coverage for complete coverage information).

### Dental

Minnesota Opera currently contributes \$10.00 per month to your participation in the Delta Dental Plan. Please see the Director of HR for the plan details and current rates.

Upon termination of employment, you may be able to continue your coverage for generally up to a maximum of 18 months by paying the entire premium.

### Vision

Minnesota Opera currently offers vision coverage with EyeMed through Delta Vision. Unlike the Medica healthcare coverage, this plan does provide some coverage for glasses, contacts, and frames. EyeMed's customer service number is 833-279-4362. Please see the Director of HR for the plan details and current rates.

Upon termination of employment, you may be able to continue your coverage for generally up to a maximum of 18 months by paying the entire premium.

### Flexible Spending Accounts

Eligible employees (see Eligibility section above) may make voluntary contributions to flexible spending accounts, currently managed by Employee Benefits Corporation. These contributions, deducted from the employee's paycheck, are made on a pre-tax basis. That is, the employee is taxed on the amount of the paycheck after these deductions have been made.

**Health Care Account:** Contributions up to a maximum of \$2,000 may be made in the course of the fiscal year. The plan reimburses the employee for health care expenses that are not covered by medical insurance.

**Dependent Care Account:** Contributions up to a maximum of \$5,000 may be made in the course of the fiscal year. The plan reimburses the employee for dependent care expenses (i.e. daycare). The plan will only make reimbursements equal to or less than the current balance of your deductions.

### **Parking**

Minnesota Opera maintains a parking lot for employees at a cost of \$45.00 per month. Eligible employees wishing to have a spot are assigned a parking space for their use. Spots are assigned by the Director of HR, as available, on the basis of eligibility date seniority. If an employee waives this benefit when first eligible, and then wishes to have a parking spot at a later time, they will be added to the bottom of the waiting list, regardless of seniority. If the lot is full, you may ask to be put on a waiting list. Full-time seasonal employees who wish to maintain their parking spot during layoff periods may be asked to continue to pay the \$45.00 fee for the duration of the layoff period. Failure to do so may result in your parking space being reassigned.

### **Discounted Tickets**

Minnesota Opera encourages your attendance at Minnesota Opera performances so that you may gain a greater understanding, appreciation, and enjoyment of the program presented. All requests for discounted tickets must be made through the Patron Services Manager and/or Chief Marketing Director.

Staff members are eligible for a 60% discount on individual ticket prices when ordering 3-, 4-, and 5-opera packages and a 50% discount when ordering individual tickets. The staff discount is limited to four tickets per performance run. The staff discount is also extended to past staff members.

**All discounted tickets are subject to availability.**

Staff members who are required to work at a particular performance will be given a complimentary ticket for their own admittance to that performance. Complimentary tickets are not transferable.

### **Retirement: Mutual of America**

Regular full-time employees become eligible for company pension contributions after both 18 months of continuous service and the attainment of age 21. Regular part-time and seasonal full-time employees must work two consecutive fiscal years with a FT-ACA status and reach the age of 21, to be eligible for the Opera's contribution. All employees are eligible for the supplemental 403B plan (where you can contribute your own money to a retirement account) the first of the month following 30 days of employment.

Minnesota Opera makes a monthly contribution to the pension plan for eligible employees. The Board of Directors determines the contribution percentage to the pension plan on a year by year basis. To be eligible, you must have met the above eligibility requirements, completed all necessary enrollment forms and be employed by the Opera at the end of the month the contribution is made. This contribution may be temporarily suspended for all eligible staff if deemed financially necessary by the Opera and Board.

The Opera's Mutual of America's 403B tax deferred annuity Retirement Plan, provides retirement benefits usually beginning at age 65. You may make additional contributions through a salary reduction plan. Your retirement benefit will depend on the value of your account, the age at which you begin taking distributions and the income option you select.

### **Tax Shelters and Payroll Savings**

Contributions to the supplemental 403B plan may be arranged whether or not you are eligible to participate in Opera's company pension contribution. This plan is for people who want to set aside extra tax-deferred retirement funds. Deductions will be taken on a pre-tax basis from each paycheck and contributed automatically to a retirement account on a bi-weekly basis. Information about the supplemental 403B plan is available from the Director of HR.

### **Life, Accidental Death and Dismemberment, and Dependent Life**

Minnesota Opera provides eligible employees (see Eligibility section above) a Group Life, Accidental Death and Dismemberment, and Dependent Life insurance policy paid for by the Opera. The amount of Life insurance is your yearly salary or earnings, up to \$100K. Employees also have the option to purchase additional Life and AD&D coverage if they wish.

The Accidental Death and Dismemberment, and Life policy is in the amount of your yearly salary.

Dependent Life: If you have opted for dependent coverage, and one of your dependents dies, you will be paid the scheduled benefit in force for that dependent.

The Life and Accidental Death and Dismemberment, and Dependent Life policies may be continued upon leaving employment by paying the necessary premiums. This plan is currently established through a Group Policy issued by Met Life.

### **Worker's Compensation**

Beginning from the date of employment, Minnesota Opera carries insurance to cover on-the-job injuries and illnesses. Medical and hospital expenses are covered, and a weekly indemnity is provided in accordance with legal requirements. You must report any injuries to your supervisor immediately, and supervisors must report all such injuries to the Director of HR within 24 hours

after the accident occurs. A First Report of Injury must be filed promptly to ensure coverage.

If you are injured at work, report the injury to your supervisor immediately—no matter how minor the injury is. Your supervisor will report it to the Opera's workers' compensation claims coordinator within 24 hours of the business week. Any questions concerning workers' compensation should be directed to the Director of HR, who will serve as the compensation claims coordinator. Your supervisor and/or claims coordinator will help arrange for medical treatment following an injury.

The Minnesota Opera will not discriminate or retaliate against any employee for reporting a work-related injury or illness; however, failure to promptly report an illness or injury could result in disciplinary measures.

### **Return-to-work Program**

Minnesota Opera supports the practice of bringing injured employees back to work, as soon as they are medically able, to a position in our organization compatible with any physical restrictions they may have. We believe this practice serves the best interests of our employees and organization.

The prompt return of injured employees to positions within their medical restrictions will minimize the impact of work-related injuries. Coming back to work early helps employees remain functional as they recover while providing our organization with the valuable use of employees' talents. It also helps control workers' compensation costs.

At the discretion of the Opera, current positions may be modified to fit the medical limitations of injured employees by modifying workstations, altering specific tasks or working reduced hours. If this is not possible, temporary transitional jobs may be made available either with your department or through a temporary assignment with another department.

This return-to-work program is an important part of our organization's commitment to manage injuries in a way that's best for our employees and for this organization.

### **Unemployment Compensation**

This benefit provides monetary assistance to former Minnesota Opera employees whose employment has been terminated under certain circumstances. The eligibility of the individual claimant for unemployment benefits is determined by the State of Minnesota Department of Employment and Economic Development once the necessary forms have been filed.

### **Insurance Continuation Rights**

Both COBRA and Minnesota law allows employees to elect to continue coverage under our group health, dental and life plans with proper and timely payment of premium, generally, for a maximum of 18 months following the date

coverage would normally end. The employee is required to pay the entire premium for coverage for themselves and any qualified dependents. This extension may not apply to employees who are terminated for “gross misconduct.” COBRA coverage is currently administered by Employee Benefits Corporation.

**Social Security**

Employees subject to Social Security and Medicare taxes will have the legally required deductions withheld from each paycheck. The current withholding rates are as follows: 6.20% for Social Security, and 1.45% for Medicare.

For more specific details about your benefits you should contact your local Social Security office or refer to [www.ssa.gov](http://www.ssa.gov).

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## TIME OFF

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### Vacation

Regular full-time employees will receive vacation time at the rate listed in the second column below (or the negotiated amount, if different) on July 1 of each year. Seasonal full-time and regular part-time employees, with the exception of members of the Resident Artist Program, who meet benefit eligibility requirements (see Eligibility section above) shall earn vacation time on an hourly basis at the rates listed in the third column below:

Length of Employment	Vacation Accrued at:	
	Reg. FT/per fiscal year	Seasonal FT& PT Hourly/per hr
0-23 month	80 hrs.	0.040 hr.
24-35 months	96 hrs.	0.048 hr.
36-47 months	104 hrs.	0.052 hr.
48-59 months	112 hrs.	0.056 hr.
60-71 months	120 hrs.	0.060 hr.
72-83 months	128 hrs.	0.064 hr.
84-95 months	36 hrs.	0.068 hr.
96-107 months	144 hrs.	0.072 hr.
108-119 months	152 hrs.	0.076 hr.
120-131 months	160 hrs.	0.080 hr.
132-143 months	168 hrs.	0.084 hr.
144-155 months	176 hrs.	0.088 hr.
156-167 months	184 hrs.	0.092 hr.
168-179 months	192 hrs.	0.096 hr.
180+ months	200 hrs.	0.100 hr.

Use of vacation time must be approved in advance by your immediate supervisor. Your vacation accrual balance at the end of the fiscal year may not exceed 40 hours (or another amount as determined annually by the President and General Director) Any amount over 40 hours will be forfeited by the employee and an adjustment will be made at the end of the fiscal year.

### Vacation Payout Upon Termination

Generally, unused, accrued vacation may be paid upon termination of employment. For regular full-time employees, your vacation payout will be prorated to reflect the balance you would have accrued as of your termination date. Employees who have been terminated for misconduct as defined on page 26 of this handbook or who have failed to provide a written two-week notice of their intention to resign may forfeit their right to payout of their accrued, unused vacation hours. Additionally, accrued vacation may not be used during an employee's resignation period.

### **Paid Holidays and Personal Days**

Regular and seasonal full-time and regular part-time employees are eligible for paid holidays (listed below) and up to two additional personal days per fiscal year. Employees starting January 1st or later will receive one personal day for the remaining fiscal year.

Seasonal full-time and regular part-time employees qualify for paid holidays only if they are scheduled to work the day before and the day after the holiday.

If an employee is required to work on a holiday, they will be paid for that day and will be able to take that holiday as a floating holiday.

Personal days may not be carried over from one fiscal year to the next. Unused personal days and floating holidays are forfeited upon termination of employment.

The following days shall be observed as paid holidays when holidays occur on a regular scheduled workday:

- **New Year's Eve (1/2 day)**
- **New Year's Day**
- **Martin Luther King Jr. Day**
- **Memorial Day**
- **Juneteenth**
- **July 4<sup>th</sup>**
- **Labor Day**
- **Thanksgiving Day**
- **Friday after Thanksgiving Day**
- **Winter Holidays** (employees will be granted a minimum of 3 floating winter holidays to be used between the first Monday of December and the first Friday of January)
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Management reserves the right to change the number of paid holidays during the year at its discretion.

### **Inclement Weather Days**

Regular and seasonal full-time and regular part-time employees are eligible for 2 paid days off to use for absences due to inclement weather. These days are intended to be used if the company remains open, but an employee feels unsafe or unable to travel to work due to extreme weather and either cannot or does not prefer to do their work from home.

Employees wishing to make use of this leave must notify their supervisors prior to the beginning of their workday, or by a separate deadline communicated by their department head.

Inclement weather days may not be carried over from one fiscal year to the next. Unused inclement weather days are forfeited upon termination of employment.

#### Mid-day Closure

If, over the course of the workday, the weather become severe, the executive team may determine that the company will close mid-day. When the company closes mid-day, employees are encouraged to leave immediately so that the conditions do not further deteriorate and affect their ability to safely travel.

Exempt employees who were working at home with prior permission, or at the office on the day of the partial day closure, will be paid their normal salary. Nonexempt employees and will be paid for their scheduled hours of work. No overtime will be paid.

Employees who had already taken the day off as any type of PTO (including inclement weather days) will have the day subtracted from their allotted PTO as would have occurred if the company did not close.

#### Sick and Safe Leave

Your sick and safe leave may be used only for issues not covered by Worker's Compensation or any other disability insurance provided by the Opera. All employees are eligible for paid sick and safe time. Full time, salaried employees will receive at least 8 hours for each full month they are anticipated to work throughout the fiscal year. This amount will be front-loaded to their accounts at the beginning of each fiscal year, not to exceed 160 hours at any time. All other employees (i.e. hourly, part-time seasonal, etc.) will accrue at a minimum of .04 hours for each hour worked per pay period; employees may carry up to a maximum of 160 hours. Sick hours for all employees are allowed to roll over year to year, but may not exceed the 160 hour cap. Sick/safe leave accrual begins the first day of work for all new employees and you are allowed to use it, in increments of no smaller than .25 hours, as soon as it has been accrued.

Sick leave which can be used for an employee's own illness or injury can also be used for the illness/injury of the employee's child, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild (need not be biological), grandparent, or stepparent. Sick leave can also be used for "safety leave" for the same list of relatives as above to provide or receive assistance for domestic abuse, sexual assault, or stalking. This leave may also be used for school or daycare closures or a company shut down due to a public health emergency.

No payment will be made for unused sick leave upon an employee's termination of employment. You may not request to have sick time "paid out" as additional salary; it may only be used as defined above.

In the event of illness, you may be required to submit a certificate from the attending physician or from an employer-designated physician. The Opera may withhold sick leave in the event of a failure or refusal to supply such a certificate.

Sick accrual balances are available on employee check stubs; please speak to the Director of HR if you have any questions regarding your balance.

Employees are entitled to, and we comply with, all of the rights and remedies set forth under Chapter 40 of the Minneapolis Code of Ordinances concerning sick and safety leave. We will not retaliate against any employee for asserting their rights or remedies under §40.240.

### **Short-Term Disability Insurance**

Minnesota Opera provides a short-term disability (STD) benefits plan to eligible employees (see “Eligibility” section above) who are unable to work because of a qualifying disability due to an injury or illness. The short-term disability benefit provided by Minnesota Opera is a self-funded plan intended to provide partial income replacement for employees unable to work due to non-work-related illness, injury, or pregnancy. It is not a form of leave of absence, although it may provide partial wage replacement during an approved leave of absence.

Disabilities arising from pregnancy or pregnancy-related illness are treated the same as any other illness that prevents an employee from working. Disabilities covered by workers’ compensation are excluded from STD coverage.

Eligible employees who are certified by a doctor as being medically unable to work due to illness, pregnancy or injury (other than a self-inflicted injury) may be eligible to receive benefits under this policy. Employees who suffer a work-related illness or injury, and thus who may be entitled to workers’ compensation, or who are entitled to receive disability pay under any state or federal plan or private insurance policy, are not eligible to receive STD under this policy.

To be eligible for continued disability benefits, employees must not engage in outside employment during the period of disability, and are expected to avoid activities that may delay recovery and a return to work. During the period of disability, employees must follow all medical advice, including physical therapy and rehabilitation activities, to ensure a rapid recovery. Short-term disability benefits may be discontinued if employees do not cooperate with a recommended rehabilitation program.

In cases of multiple disability absences, the waiting period is waived for the second absence if it is a result of the same disabling condition as the first absence. However, employees can only collect a maximum of 90 days of short-term disability benefits in a calendar year, regardless of the number or cause of each absence.

**Medical certification:** Minnesota Opera reserves the sole discretionary right to determine if STD benefits will be paid, and whether an employee’s medical

circumstances qualify for coverage under this plan. Employees must provide medical certification of the disability that includes the starting and expected ending date of the disability, as well as any restrictions that might be necessary upon their release to return to work. This certification must be submitted to Human Resources, who will review the certification and make a determination on benefit qualification. Periodic updates of the employee's condition may be required every 30 days during the leave.

**Benefit payment:** The short-term disability benefit payment is equal to 66 percent of the employee's base weekly wages or salary calculated on the average numbers they have normally worked per week. For the purposes of STD, the employee's "base weekly wages or salary" does not include overtime, bonuses, or premium pay. The benefit may be paid for a maximum of 90 days per calendar year. Payments are made on regularly scheduled paydays, and will be treated as taxable income subject to all of the normal withholdings.

**Return to work:** In order to be eligible to receive the benefit, employees must return to work as soon as permitted by their health care providers. Employees will typically be required to submit a return-to-work assessment to Human Resources prior to returning to the workplace.

Because STD is not a form of leave of absence, employees are not guaranteed reinstatement to their positions at any point during or at the end of the period of receiving STD benefits. As a result, Minnesota Opera's ability to return an employee to the workplace may be influenced by organizational needs, workflow, staffing levels, and the employee's disciplinary status at the time they went out on leave. However, employees whose absences are covered by the Family and Medical Leave Act (FMLA), or any other applicable federal or state leave laws will be eligible for reinstatement according to the terms and conditions of any such applicable laws.

Minnesota Opera reserves the right to interpret and apply this benefit at its discretion. And while the Opera intends to continue the benefits and policies described in this booklet, the Opera reserves the right to change, modify, amend or discontinue the Plan at its discretion at any time.

Employees with any questions regarding this policy should contact Human Resources.

### **Long-Term Disability Insurance**

Short-term and long-term disability are designed to work together so there will be no break in your income. The long-term disability benefit is designed to provide full-time regular employees income in the case of extended illness or physical impairment. It currently provides 66% of salary (up to \$5,000 per month) after 90 calendar days of short-term disability and continues to date of retirement. These payments are integrated with Social Security; in the case of injury on the job, the payments are integrated with Worker's Compensation. Your benefits are:

Waiting period - 90 days (short-term disability coverage)  
Benefits - 66% of monthly earnings, up to \$5,000 per month  
Payment period - will continue for the remainder of your normal working life, provided you remain disabled.

More detailed information about short-term and long-term disability coverage is available from the Director of HR.

### **Funeral Leave**

If you are a regular or seasonal full-time employee, you will be granted by your supervisor up to three working days leave of absence with pay, for the purpose of attending a funeral or making funeral arrangements in the event of death in your immediate family (spouse, partner, child, parent, sister, brother, mother-in-law, father-in-law, grandparent, or other persons living in your home). An additional two days may be granted by your supervisor under special circumstances. A one-day leave of absence with pay may be granted for attending a funeral or making funeral arrangements for grandchildren.

### **Personal Leave (without Pay)**

Employees who have worked at least six (6) months may request a leave of absence, in writing, with one copy to your supervisor and one copy to the Director of HR. You must state reasons for the leave and the beginning and ending dates of your requested leave.

Leaves up to five working days may be granted, without pay, upon approval of your supervisor. Leaves of longer than five working days, without pay, may be granted with the recommendation of your supervisor and the approval of the President and General Director. Generally, leaves are granted based on the needs of the employee and Minnesota Opera.

### **Family and Medical Leaves of Absence**

#### **A. General Provisions**

It is the policy of Minnesota Opera to grant up to 12 weeks (or 26 weeks, if leave is taken to provide care for qualifying family member injured during active military service) of family and medical leave during any 12-month period to eligible employees, in accordance with the Family and Medical Leave Act (FMLA).

#### **B. Eligibility**

In order to qualify to take family and medical leave under this policy, the employee must meet all of the following conditions:

1. The employee must have worked for Minnesota Opera at least 12 months (these 12 months need not have been consecutive);
2. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave would begin; and
  - This calculation includes only actual hours worked, and will not include any holiday, PTO, or other forms of paid leave that may

occur during the relevant 12-month review period, regardless of whether such time is counted as hours worked for overtime purposes)

- This calculation includes all periods of absence from work due to or necessitated by military service (active duty and reserve) under Minnesota Opera’s Military Leave policy.
- 3. The employee must work in an office or worksite where 50 or more employees are employed within 75 miles of that office or worksite. (Remote employees with no fixed office or who work out of their home, will be treated as though they work in the office to which they report.)

### C. Reasons for Leave

In order to qualify as FMLA leave under this policy, the employee must be taking the leave for one of the reasons listed below:

1. The birth of a child;
2. The adoption of a child, or the placement of a child with the employee for foster care;
3. The employee’s own serious health condition (a “serious health condition” is a condition that requires inpatient care at a hospital, hospice, or residential medical care facility, or a condition that requires continuing care by a licensed health care provider as defined in applicable Department of Labor regulations, and in the case of an employee, makes the employee unable to perform the functions of the employee’s position.);
4. To care for a spouse, child or parent with a serious health condition;
5. Due to a “qualifying exigency” for the spouse, children, or parents of individuals who are on, or are about to be on, “covered active duty”.

(A “*qualifying exigency*” includes attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, attending post-deployment reintegration briefings, and care for a military member’s parent who is incapable of self-care when the care is necessitated by the member’s covered active duty, as defined in applicable Department of Labor regulations)

(“*Covered active duty*” means members of either the regular or reserve components of the Armed Forces and National Guard who have been deployed to a foreign country)

6. To provide care for a “*covered servicemember*” with a serious injury or illness incurred or aggravated in the line of duty while on active duty (employees eligible to take military caregiver leave include the spouse, children, parents and next of kin of military personnel).

Leave that qualifies for vacation, sick time, workers’ compensation, short-term disability, or other wage replacement benefits may also qualify as FMLA leave and, if so, the time off will also be counted as FMLA leave. Employees with questions about whether their leave needs may be covered under this FMLA policy are encouraged to consult with the Human Resource Department.

## **D. Duration of Leave**

### *12 Weeks*

For all FMLA covered leaves other than leave taken to provide care for wounded military personnel, eligible employees can take up to 12 weeks of leave under this policy during any 12-month period. Minnesota Opera will use a rolling 12 month period measured backward from the date an employee uses any leave under this policy to determine whether an employee has exhausted his or her 12 weeks of leave. Each time an employee takes leave, Minnesota Opera will compute the amount of leave the employee has taken under this policy for any form of FMLA leave in the last 12 months and subtract that amount from the employee's 12 weeks of available leave; the balance remaining is the amount the employee is entitled to take at that time.

### *26 Weeks*

For all FMLA covered leaves taken to provide care for wounded military personnel, eligible employees can take up to 26 weeks of leave under this policy during any single 12-month period. This single 12-month period begins on the first day the employee takes FMLA leave to provide care for wounded military personnel. Any FMLA time taken for any other reason listed in paragraph C. during this single 12-month period shall count against the 26 weeks of leave available to care for wounded military personnel. Similarly, any FMLA time taken to care for wounded military personnel shall count against the 12 weeks of leave available to the employee for any other reason under paragraph C.

### *Spouses*

Spouses who both work for Minnesota Opera are limited to a combined total of 12 weeks of leave for the birth of a child, adoption or placement of a child in foster care, to care for a parent with a serious health condition. Similarly, spouses who both work for Minnesota Opera are limited to a combined total of 26 weeks of leave to care for a covered member of the military who is injured in the line of duty.

## **E. Employee Benefits During Leave**

While an employee is on leave, Minnesota Opera will continue the employee's medical, dental, vision, and/or Health Flexible Spending Account during the leave period at the same level and under the same conditions as if the employee had continued to work. While on a paid leave, Minnesota Opera will continue to make payroll deductions as normal to collect the employee's share of the premium.

Minnesota Opera will continue to provide health insurance benefits until the employee ceases to be eligible under the terms, conditions, and limitations of the applicable plans. Employees will continue to be responsible for their share of the insurance premiums, and will be required to make monthly payments while out on unpaid leave. Premium payments must be received in the Accounting Department by the 5th day of each month. If the payment is more than 30 days late, the employee's health and other coverage may be dropped for the duration of the leave.

If the employee chooses not to return to work, for reasons other than a continued serious health condition, Minnesota Opera may require the employee to reimburse Minnesota Opera the amount it paid for the employee's health insurance premium during the leave period.

#### **F. Use and Accrual of Paid and Unpaid Leave**

FMLA leave is unpaid. However, Minnesota Opera requires that employees use all available vacation, sick and personal holiday during any FMLA leave, except where the employee is receiving worker's compensation, short-term disability, or similar wage replacement benefits. Notwithstanding any other policy to the contrary, during periods of intermittent FMLA leave, vacation, sick and personal holidays can be used in the same increment as the amount of FMLA leave taken. Benefit accruals, such as vacation and sick time, will be suspended during any unpaid portion of the leave, and will resume upon return to active employment.

#### **G. Intermittent Leave or a Reduced Work Schedule**

In addition to taking leave in consecutive blocks of time, eligible employees may be allowed to take time off intermittently (i.e., reduced workweeks or reduced workdays) if needing leave for one of the following reasons:

1. The employee's serious health condition;
2. The serious health condition of a spouse parent or child;
3. To provide care for a "covered servicemember" with a serious injury or illness incurred or aggravated in the line of duty while on active duty; or
4. Due to a "qualifying exigency" for the spouses, children, or parents of individuals who are on, or are about to be on, covered active duty.

To qualify for intermittent leave, the employee must show that the intermittent leave is medically necessary or related to a "qualifying exigency." If leave is taken on an intermittent or reduced leave schedule due to foreseeable leave needs (other than qualifying exigencies), Minnesota Opera may temporarily transfer an employee to an alternative position with equivalent pay and benefits.

#### **H. Certification of the Need for Leave**

Minnesota Opera may ask for certification to verify the need for leave for the reason requested by the employee. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of the leave. Minnesota Opera may also require recertification during the leave to verify the status of the need for leave.

Minnesota Opera may directly contact the health care provider or other third-party to verify and clarify information contained in the certification. Employees are responsible for signing or obtaining any authorization necessary to permit the health care provider or other third party to provide Minnesota Opera with the required information.

Minnesota Opera has the right to ask for a second opinion of a certification of a serious health condition. Should we choose to do so, we will pay for the employee to get a certification from a second health care provider, which we will select. If it is necessary to resolve a conflict between the original certification and the second opinion, we will require the opinion of a third health care provider. Minnesota Opera and the employee will jointly select the third doctor, and we will pay for the opinion. This third opinion will be considered final.

#### **I. Returning From Leave**

Employees taking leave under this policy will be returned to the same jobs they held when their leaves began. If this is not feasible, employees will be returned to a position that entails substantially equivalent skill, effort, responsibility, and authority as the position they had previously held. The only exceptions to this rule will be in circumstances of layoffs or reorganizations, where the employees' positions would have been eliminated even if they had not been on leave. Employees returning from a leave of absence for their own serious health condition, may be required to provide a fitness for duty assessment.

#### **J. Procedure for Requesting Leave**

When an employee plans to take leave under this policy, the employee must Minnesota Opera give 30 days' notice. If it is not possible to give 30 days' notice, the employee must give as much notice as is practicable. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to Minnesota Opera's operations. If an employee fails to provide 30 days' notice of foreseeable leave, the leave request may be denied until at least 30 days from the date we received notice.

All employees requesting leave under this policy must submit the request in writing to their immediate supervisors, with a copy to the Human Resources Department. Where the need for leave is not foreseeable, employees must verbally notify their supervisors of the need for leave as soon possible and follow Minnesota Opera's normal call-in procedures for unexpected absences. Failure to follow our normal call-in procedures under such circumstances will be treated like any other violation of our call-in procedures, and may result in discipline or termination, even though the leave itself may be covered by the FMLA. Employees may be required to confirm their need for FMLA leave in writing after giving verbal notice.

While on leave, employees may be required to periodically report to Minnesota Opera regarding the status of their intent to return to work.

#### **K. Rights, Remedies, and Additional Information**

Words that appear in italics or quotes in this policy are terms defined by the FMLA and Minnesota Opera will rely upon those definitions in the law and regulations.

Minnesota Opera fully complies with the provisions of the FMLA. Accordingly, any employee who has questions regarding this policy is encouraged to contact the Human Resources Department. Further information on your rights and remedies under the FMLA can be located on our FMLA poster (which can be found on the 3<sup>rd</sup> floor of the Opera above the postage machine) or online on the Department of Labor's website at: <http://www.dol.gov/esa/whd/fmla/>.

### **Parental Leave**

This leave is also governed by the FMLA and is available to eligible employees who request a leave because of the birth of a child, legal adoption of a child by the employee, or placement of a child with the employee for foster care. Parents are eligible for one full week of paid leave for each full year of employment with the Opera, up to the 12 weeks of leave allowed by FMLA.

### **Military Duty**

If you are a member of the military reserve or National Guard, you are entitled to military leave for training or active duty without loss of seniority, status, rate of pay, or vacation. The Opera will make up the difference, if any, between regular salary and gross military pay (excluding living and travel allowance). This payment by the Opera is limited to no more than two weeks per calendar year for annual training and no more than four weeks per year for active duty.

An employee has an obligation to report to work upon returning from military leave in accordance with USERRA and all applicable state laws. Employees will be placed in the same position the employee would have attained had they remained continuously employed or a comparable position depending on the length of military service in accordance with USERRA.

### **Jury Duty**

Minnesota Opera encourages you to respond to calls for jury duty and will continue your full pay while you serve. Pay received for jury duty, other than mileage allowance, is to be turned back to the Director of HR. While serving on a jury, you are expected to report for regular work hours to the extent permitted by the schedule of jury duty.

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## **GENERAL OPERATIONS**

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### **Professional Seminar / Educational Assistance**

You may wish to further your professional development by taking a class or workshop. This is handled on a case by case basis, with the advice and consent of your department head. From time to time the Opera may offer a class or seminar it feels might benefit its employees.

### **Employee Responsibility**

You are expected to perform your job in an ethical, honest, and professional manner to reflect a positive image of Minnesota Opera. You are expected to display good judgment, diplomacy, and courtesy when dealing with Opera audiences, board members, volunteers and others outside the organization. It is expected that you will be courteous, gracious, and cooperative, both in person and on the telephone.

### **Confidential Information**

Much of the information that you work with regarding individuals, members, finances, and Minnesota Opera programs should be considered confidential and treated with discretion. It is your responsibility to keep this information confidential. If you are in doubt about the confidentiality of any material, you should consult your supervisor or the President and General Director before divulging any information. Under certain circumstances, you may be asked to sign a further confidentiality agreement.

### **Attendance**

You are responsible for fulfilling all requirements of your scheduled work week and should be prepared to put in extra hours when necessary. Your attendance record will be given serious consideration as part of your performance and salary reviews.

### **Personal Appearance**

Establishing a good impression is important for staff members as they represent Minnesota Opera to patrons, business people, and others who have reason to visit the Opera's offices. Because we are a publicly held community institution, each member of staff should ensure that they are presenting themselves to our patrons, vendors, and others who visit the Opera appropriately and that the Opera is always being properly and professionally represented as an organization.

### **Attire**

Employees are expected to dress appropriately at all times, particularly if they will be dealing with visitors in person. We encourage employees to reference the weekly schedule to see what visitors may be in the building, so they have the opportunity to make appropriate choices. Sweat/track pants, leisure T-shirts (excluding those that can be considered "smart casual"/business appropriate) and ripped/torn items are considered unacceptable attire for most employees (exceptions are made for the Production personnel due to the

physical nature of their jobs). Beyond not wearing those items, we ask only that you use your own good judgment regarding appearance, taking care to ensure that you feel positively about how you are representing both your own individuality and the company as a whole in our professional environment.

### Personal Hygiene

While working, employees are expected to adhere to established hygiene requirements which contribute to a pleasant work environment for both colleagues and guests. The following hygiene requirements are applicable to all employees: maintain personal cleanliness by bathing regularly; oral hygiene (brushing of teeth) required; use deodorant/antiperspirant to minimize body odors; no heavily scented perfumes, colognes and lotions as these can cause allergic reactions, migraines and respiratory difficulty for other employees and guests.

Individual situations relating to appropriate workplace attire or hygiene may be addressed on a case-by-case basis. If you have questions about these guidelines, please see the Director of HR.

### Housekeeping

The cooperation of all staff members is needed to keep Minnesota Opera's office presentable. You are responsible for maintaining a clean and uncluttered work space. Management may select up to two work days annually, during which all employees may be required for campus upkeep and organization.

### Office Décor

As a general rule, all areas of the building should be professional in appearance. Office decor should reflect a pleasant working environment for everyone; while at the same time allow some freedom of expression within individual work areas. Reasonable judgment shall govern the types of quantity of work-related information and personal effects which will be displayed within individual work spaces and common use areas. Items shall be exhibited in a manner which minimizes the future deterioration of the building and the overall work environment.

During festive times of the year many may like to decorate their work areas. Use good judgment when selecting and displaying decorative items. Be respectful of others who may celebrate differently than you do or who do not celebrate at the same time of year. Safety is a consideration and if you have any questions please talk to Steve Mittelholtz, Facilities Manager.

This policy will address building décor and how it relates to the visual appearance of the building as well as following safety standards and minimizing the deterioration of the building.

#### **1. Private Offices**

- a. Standardized name plates will be provided for office doors in the coming months.
- b. Wall décor should be simple and professional in appearance.

- c. For safety purposes, items should never be hung from the ceiling (to include lights, vents, sprinklers, or smoke detectors).
- d. To prevent damage, use the appropriate hardware or material to display items on walls or doors – do not use adhesive materials (contact Steve Mittelholtz for assistance).
- e. Wall painting is maintained by an outside vendor – additional decorating of wall surface is not allowed (wallpaper, borders, stencils, etc.)
- f. Décor and personal items should not be attached to glass surfaces, including windows and interior panes.

## **2. Work Stations**

- a. Standardized name plates will be provided for all work stations in the coming months.
- b. Personal items and décor should not be displayed above the height of partition panels as this obstructs the view of co-workers and detracts from the aesthetics of the work area.
- c. Work station décor should be simple and professional in appearance.
- d. Use appropriate materials when attaching items to fabric panels, metal shelves or work surfaces – do not use adhesive material. Please direct any questions to Steve Mittelholtz.
- e. For safety purposes items, items should never be hung from the ceiling (to include lights, vents, sprinklers, or smoke detectors).
- f. Plastic hooks or additional tack/cork boards may be used for hanging/displaying personal and work-related items, as long as they are beneath the sightline of the top of partition panels.

## **3. Common Areas**

- a. Common areas of the building are: conference/meeting rooms, cafeteria/break rooms, restrooms, lobbies, hallways and publicly accessible areas
- b. All items posted on walls in common/publicly accessed areas will be on a professional sign, in a sign holder, framed, or posted on a bulletin board. (Any orders or questions can be arranged through Steve Mittelholtz.)
- c. For safety purposes, items should never be hung from the ceiling (to include lights, vents, sprinklers, or smoke detectors).

## **4. Holiday/Festive Decorations**

If you choose to decorate your work area you must do so on your own time and the following

guidelines apply:

- a. Keep decorations simple – not elaborate.
- b. Do not use tape on walls.
- c. If your work station has a wall outlet or is very near a wall outlet, it may be used for electric lights or decorations.
- d. Long extension cords present a trip hazard. If you chose to use temporary extension cords, please be sure to route them away from any potential public traffic area.

- e. Remember, any lighted/electronic decorations must be unplugged before leaving for the day or weekend – it is your responsibility.
- f. Decorations may not be placed on top of cubicles,
- g. Avoid breakable decorations.
- h. Do not hang decorations from the light fixtures and do not staple decorations onto the walls.
- i. Do not stand on desks or chairs to install decorations.
- j. Lighted candles are not appropriate – flameless candles are okay.

Any questions or concerns should be directed to your supervisor and/or manager. Decorations must be removed as soon as possible after the holiday. Failure to adhere to safety and office décor standards may result in the removal of your decorations and other progressive disciplinary measures.

### **Smoking**

Minnesota Opera Center has been designated as a non-smoking area; this includes e-cigarettes.

### **Personal Property**

Minnesota Opera is not responsible for the loss of personal property nor is it able to reimburse you for any such loss. You should take precautions to protect your personal property.

### **Return of Company Property**

At the conclusion of your employment, the Opera will collect from you any and all company issued property, including but not limited to cell phones, credit cards, computers, keys, etc. Return of these items will be discussed during your exit interview with the Director of HR.

### **Expense Reimbursement**

You will be reimbursed for ordinary and necessary expenses incurred while conducting Minnesota Opera business locally and while traveling out-of-town on behalf of the Opera. Prior approval for these expenses must be obtained from your supervisor. These expenses should be submitted on the reimbursement form within 30 days of the expense. Employees who use their personal cars for the Opera business will be reimbursed at the current rate paid U.S. Government employees for mileage (please refer to [www.irs.ustreas.gov](http://www.irs.ustreas.gov) if you are unsure of the rate), plus parking fees. Fill out a check request and a mileage reimbursement form and submit it to the Finance Department for reimbursement. Employees using their personal cars shall provide their own insurance coverage. No reimbursement will be provided to cover the cost of parking or moving violations.

### **Identity Guidelines**

Minnesota Opera has developed guidelines to help maintain a consistent graphic image and identity for the Opera. The guidelines should be used as a reference when developing printed materials for any of our internal and external publics. Copies of the guidelines are available from the Marketing Department.

### **Work Interruption/Building Closure**

In the event that Minnesota Opera will close on other than a scheduled holiday due to some type of emergency or work interruption, the President and General Director will alert the Director of HR. This information will be made available to the rest of the staff in a timely manner via the Director of HR's voicemail message, currently accessed at the phone number 612-342-9552. It is the employee's responsibility to check the Director of HR's voicemail message for these alerts. This applies primarily to a snow emergency; however, this will be the standard procedure regardless of the type of work interruption.

### **Safety**

Minnesota Opera policy is to comply with all federal, state, and local requirements as they apply to the safety of employees and the protection of all properties and property of others.

For emergency procedure explanations, please refer to the Safety Handbook, available at U:/HR Information/Safety Handbook.

### **Emergencies & Accidents**

Any emergency, accident, or fire should be reported immediately to your supervisor and the Director of HR or the Facility Manager

### **Personal Injuries**

Immediately report all injuries, no matter how minor, to your supervisor and the Director of HR, so they may fill out a first report of injury form, as required by the Worker's Compensation law.

You may treat minor injuries yourself (first-aid boxes are located throughout the building). Serious injuries should be treated by paramedics. Call 911 immediately.

### **Emergency Evacuation Plan**

Exits in all Opera Company performance and work facilities are clearly marked. In any theater or work space, all employees must immediately evacuate the building when an alarm or other means is used to signal evacuation.

- Proceed calmly, do NOT run.
- Do NOT use an elevator to evacuate.
- Do NOT turn on or off the lights.
- DO close doors behind you.

Immediately exit the building by the nearest designated exit and proceed to the appropriate evacuation meeting point. Supervisors should have a list of everyone who is working that day and all employees will check in with their supervisor. Remain in the meeting area until the proper authorities have determined it is safe to return to the building. So all personnel can be properly

accounted for, please do NOT leave the meeting point unless instructed to do so by your supervisor.

Employees requiring evacuation assistance will be assigned a “buddy” by their supervisor to aid them in evacuation. The supervisor should have a list of people requiring assistance and their assigned buddies and will determine an assembly area for the people who require assistance to gather.

The fire towers at the front and back of the Opera Center building are designated areas of rescue. If you are unable to safely evacuate, wait in fire tower and emergency personnel will be directed to meet you here and assist you.

Emergency Evacuation Boxes are located throughout the building. In the event of an evacuation the area supervisor (or alternate) should take the Evacuation Box with them. Evacuation boxes will contain flashlights; paper, markers, and tape for posting signs as needed; and a list of personnel who normally work in the area.

Further details and other emergency procedures can be found in the Safety, Health and Emergency Action Handbook (in U:/HR Information)

### **Driving for Opera Business**

Employees who drive their personal vehicles or Minnesota Opera’s vehicles for Opera business may be asked to sign an Acknowledgment of Employer’s Right and Need for Motor Vehicle Registration Information. This form is an authorization to obtain information about employees’ driving records. Minnesota Opera reserves the right to prohibit employees from driving for Opera business. Employees who are in a car accident in the course of driving for Opera business should call the police.

### **Use of Cell Phones/Seat Belts While Driving on Opera Business**

Minnesota Opera has a zero-tolerance policy regarding using a cell phone while driving on Opera business in either a company vehicle or personal vehicle. For the safety of our employees and others, it is imperative that you pull over and stop at a safe location to dial, text, receive, or converse on the cell phone in any way.

It is the policy of The Opera, and a condition of employment, that all employees who operate or ride in company vehicles; or operate or ride in personal vehicles on company business, wear properly fastened and adjusted seat belts, shoulder harnesses, and other such similar equipment when provided in the vehicle they are operating or riding in. “Operating” and “riding in” are to be defined as occupying a moving vehicle. Employees are required to report any malfunction of seat/shoulder belts, and to have this equipment repaired or replaced as soon as possible after its discovery.

Violations of either the cell phone use or seatbelt policies will be subject to discipline, up to and including termination.

### **Whistle Blower Policy**

Minnesota Opera Board regards fiscal mismanagement or other improper action by its key employees to be an extreme concern.

Should an employee have knowledge of such an infraction, the Chairman of the Audit Committee and the head of the Governance and Nominating Committee share the responsibility of receiving such information confidentially. These individuals are then responsible for informing the Audit Committee who is tasked with researching the allegation and charting a course of action.

This policy is intended for situations in which confidentiality on the part of the employee is a legitimate concern. This is intended for situations where there is no appropriate staff member to hear the concern, or when the employee feels that such a staff member is intentionally not acting on such a concern. It is not intended as an arbitative recourse for situations in which the concern has been heard and a course of action taken by the President and General Director of the Opera or his representative.

While maintaining confidentiality is always a goal during an investigation, you should note that confidentiality is not always possible as an employee's identity may have to be disclosed to conduct an investigation, comply with the law, and to provide an accused with their legal rights of defense. You should also note that you will not retaliate against employees who bring forward legitimate concerns.

The current chair of the Audit Committee is James Powell who wishes to be initially contacted by email at [jpowell@kpmg.com](mailto:jpowell@kpmg.com). You are also welcomed to call him at (404) 281-8522. The current chair of the Governance Committee is Mark Gordon, who wishes to be initially contacted by email at